



Vance County Planning & Development  
305 Young Street, Suite B  
Henderson, NC 27536  
Ph: 252-738-2080 Fax: 252-738-2089



## Agenda - Vance County Planning Board

March 14, 2024

1. Call to Order
2. Chair Comments
3. Introduction of new Vance County Planning Director – Sherry Moss
4. Zoning Map Amendments:
  - a. CASE ZMA24-003 **Bobby Gower/PCG Enterprises of Cleveland LLC**: Request to rezone a 4.9 acre parcel from R-30 (Residential Low Density) to GC-1 (General Commercial) zoning; Parcel Number is 0600-03004.
  - b. CASE ZMA24-004 **James and Betty Johnson**: Request to rezone a 4.79 acre parcel from GC-1 (General Commercial) to AR (Agricultural Residential) zoning; Parcel Number is 0425-01006.

Sherry Moss – Planning Director

5. Ordinance Amendments – Staff will update the Board on pending Ordinance amendments to existing land use regulations (zoning, subdivision, manufactured home, etc).

Sherry Moss – Planning Director

6. Adjournment



# Planning and Development Department

305 Young Street – Suite B, HENDERSON, NC 27536  
(252) 738-2080/FAX 738-2089

## Staff Report

### Vance County Planning Board

Case# ZMA24-003

**Owner: Bobby  
Gower/PCG  
Enterprises of  
Cleveland LLC**

**Applicant: Bobby  
Gower and Joe  
Mitchell/John Swartz**

**Parcel Number: 0600  
03004**

**Location: Intersection  
of Nutbush Road and  
Satterwhite Point Road**

**Current Zoning: R-30**

**Requested Zoning:  
GC-1**

**Meeting Date: March  
14, 2023**

**Prepared by: Vance  
County Planning**

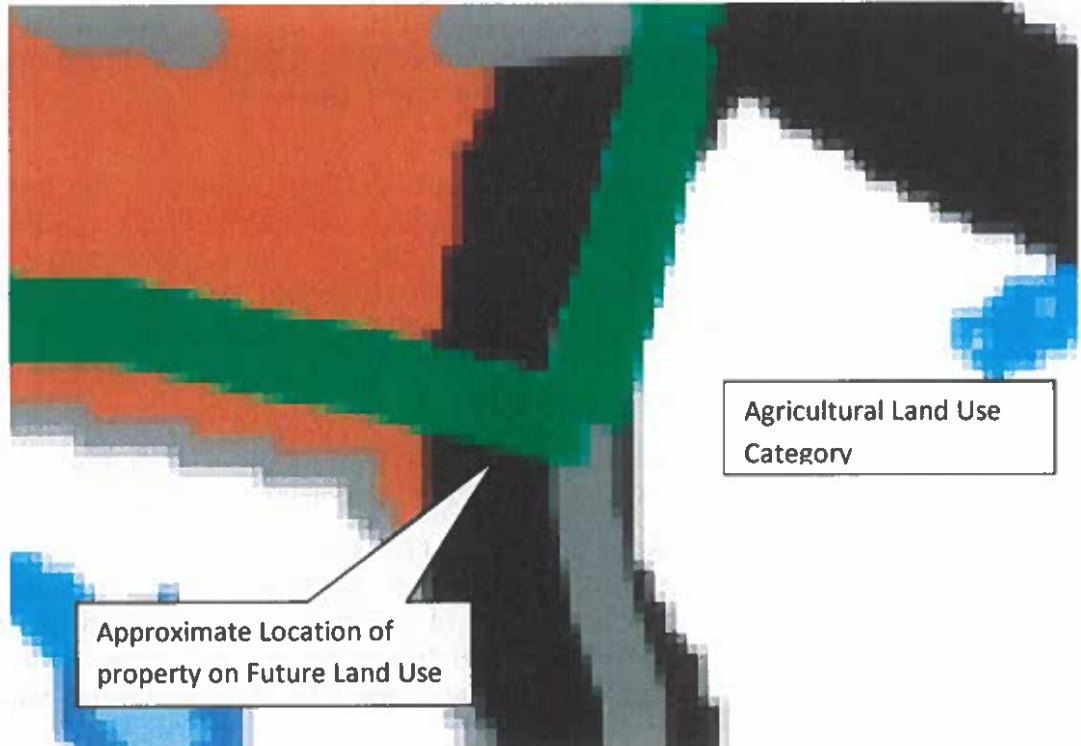
**PURPOSE:** To review and make a recommendation on a Zoning Map Amendment (ZMA) request for a parcel of property located at the western intersection of Nutbush Road and Satterwhite Point Road

**FROM:** Residential Low Density (R-30)

**TO:** General Commercial (GC-1)

**BACKGROUND:** The Basic facts of the application are as follows:

- a. Owner/Applicant: Bobby Gower/PCG Enterprises of Cleveland LLC
- b. Location: Western side of the intersection of Nutbush Road and Satterwhite Point Road (PIN 0600 03004)
- c. Size of Parcel: 4.9 acres
- d. Existing Conditions/Features: The parcel is undeveloped and heavily wooded.
- e. Roads/Access: The parcel has frontage on both Nutbush Road and Satterwhite Point Road, both are State maintained roadways.
- f. Future Land Use Designation: The parcel is within a Transitional Development Area as designated on the adopted Future Land Use Map.



Per the adopted Land Use Plan, this Transitional Development Area is defined as follows:

*The first transitional development area is located between the ETJ and Kerr Lake along Satterwhite Point Road. Most of this development is located on the west side of Satterwhite Point Road and is just outside of the Anderson Creek protected watershed. While the other transitional development areas have many mixed uses, this area includes primarily residential development which extends outward from the Kerr Lake Country Club. Both the draw of the lake and the golf course seem to be the largest factors in creating this agglomeration of residential development. Additionally, City of Henderson water runs along Satterwhite Point Road allowing for this development, which should continue in the next 10 - 20 years.*

**STAFF COMMENT:** The parcel in question is near a designated bicycle route as noted on the Future Land Use Map.

g. Surrounding Zoning:

North: Nutbush Road; GC-1 general use zoning (convenience store);

South/West: Open Space (OS) general use zoning (Kerr Lake Country Club – gold course); GC-1 general use zoning;

East: Satterwhite Point Road; Agricultural Residential (AR) general use zoning (single-family residential, undeveloped parcels, bona fide farms). Parcels to the east of the property are located within the Anderson Creek Protected Watershed Protection Overlay District.

Please refer to the attached Vicinity Map for more detail on the zoning of the area in question.

**PROPOSAL:** Applicant wishes to rezone the property to GC-1 consistent with adjacent zoning to the north and west.

Per Section 3.2.10 of the Zoning Ordinance, the purpose and intent of the GC-1 general use zoning district is: *Established to provide an area of retail and service commercial activities, size will vary according to the trade area. This area will include retail commercial uses that are related to the supply needs and frequent demand/daily requirements of a particular area.*

**STAFF COMMENTS:**

A. General Use Map Amendment Process: Involves review/action of a rezoning petition in accordance with Section 11 of the Ordinance.

Applications processed in a legislative manner (i. e., does not require sworn testimony or evidence) and decisions are based on the Vance County Board of County Commissioners determination that the project is consistent with the purpose and intent of the Comprehensive Plan and applicable Zoning regulations as embodied within the Ordinance.

Typical procedure for review is as follows:

- First Action — Staff review and analysis.

**STAFF COMMENT:** Staff's analysis of the request contained herein.

- Second Action — The Planning Board reviews the application at a regular meeting and makes a recommendation to the Board of County Commissioners (BOCC).
- Third Action — The BOCC receives the Planning Board recommendation and decides at a previously advertised legislative hearing.

B. Per Section 11.3 of the Zoning Ordinance, the Planning Board shall follow policy guidelines for all zoning amendments. A proposed zoning amendment will not receive favorable recommendation unless:

- The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.

**STAFF COMMENT:** There are commercially zoned parcels and development to the north and commercial zoning to the west of the subject property.

The area in question is located within a Transition Area as defined within the adopted Land Use Plan which is intended to support mixed use development activities (i.e., general business and office).

This rezoning would still support this vision.

- There is convincing demonstration that all uses permitted under the proposed zone classification would be in the general public interest and not merely in the interest of an individual or small group.
- There is convincing demonstration that all uses permitted under the proposed zone classification would be appropriate in the area included in the proposed change. (When a new zone designation is assigned, any use permitted in the zone is allowable, so long as it meets zone requirements, and not merely uses which applicants state that they intend to make of the property involved.)

**STAFF COMMENT:** Allowable land uses in the GC-1 appear to complement existing non-residential development in the area.

- There is convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change.

**STAFF COMMENT:** There are existing LI zoned parcels within the area as well as residentially zoned parcels. Rezoning the parcel to GC-1 would not appear to allow for development activities that would be out of character for the area.

- The proposed change is in accord with the County Land Use Plan and sound planning principles.

**STAFF COMMENT:** As indicated by staff this parcel is within a Transition Area where the County is looking to promote additional economic development activities.

- C. As detailed in the Table of Permitted Uses, allowable land uses within the GC-1 general use zoning district include:
- i. Farming (greenhouses nurseries, not Bona Fide Farms);
  - ii. Daycare facility, Home for the Aged, Retirement Community, Schools (with issuance of Special Use Permit);
  - iii. Church, College, Hospital;
  - iv. Fire/EMS Station/Police Station;
  - v. Medical/Dental Clinics;
  - vi. Bed and Breakfast/Country Inn;
  - vii. Animal Hospital and Vet Clinic, Kennels;
  - viii. Motel/Hotel;
  - ix. General Store and Retail operations;
  - x. Gas stations;
  - xi. Professional offices;
  - xii. Vehicle sales and rentals;
  - xiii. RV/Auto/Boat Storage
  - xiv. Restaurants;
  - xv. Salvage Yard;
  - xvi. Electronic Gaming Operation (with issuance of Special Use Permit);
  - xvii. Indoor Amusement and Theaters (Outdoor Amusement allowed with issuance of Special Use Permit);
  - xviii. Convenience Center, Recycling facility, Manufacturing, Machine and Welding shop, Adult Establishments, (with issuance of Special Use Permit);
  - xix. Warehousing operations.
- D. Per applicable County policy and State law, the County is unable to impose conditions or establish limitations on development activities with a general use rezoning. Presuming rezoning to GC-1, development will be consistent with applicable land use regulations as embodied within the Ordinance.
- E. There are goals of the Comprehensive Plan appearing to support the request, namely:
- i. GOAL 1: To encourage development at a rate and in a pattern which can be efficiently and effectively served by existing and planned services and facilities.
  - ii. Goal 4: To promote, expand, and diversify the economic base in Vance County to maximize the use of human resources while protecting important natural features and community values.

**PLANNING BOARD ACTION:** The Planning Board is being asked to make a recommendation to the Board of County Commissioners (BOCC) on the requested Zoning Map Amendment. The Board can do the following:

**I. RECOMMENDATION FOR APPROVAL:**

The Planning Board has determined the request is consistent with the provisions of the adopted Vance County Land Use Plan and is supported by the goals and objectives of the plan, including:

GOAL 1: To encourage development at a rate and in a pattern which can be efficiently and effectively served by existing and planned services and facilities.

Goal 4: To promote, expand, and diversify the economic base in Vance County to maximize the use of human resources while protecting important natural features and community values

The area in question has existing non-residentially zoned parcels in the area. There is existing retail and office development to the north in the City of Henderson Planning jurisdiction and approval of the rezoning request would constitute a logical extension of this development activity.

The area has been designed by the County as being a Transition Area where additional non-residential development activities are intended to be encouraged. The request represents a logical extension of existing non-residential development activities.

The Board has determined the request is reasonable and in the public interest by promoting additional economic development activities within the County, allowing for the logical expansion of potential retail and office land use activities in close proximity to residential land uses, and will continue to promote a diverse economic tax base.

**II. RECOMMENDATION FOR DENIAL:**

The Planning Board has determined the request is not consistent with the provisions of the adopted Vance County Land Use Plan and is supported by the goals and objectives of the plan, including:

GOAL 3: To promote, encourage, and stimulate the conservation of existing housing stock, rehabilitation or replacement of substandard housing, and the construction of new housing stock.

The area is surrounded by residential land uses. Rezoning this property to a non-residential zoning designation will not be in character with adjacent land uses and create incompatible development activities.

	<p>The Board has determined the request is unreasonable and not in the public interest. While there may be non-residential zoning to the north and west of the subject property, the area in question is surrounded by residential land uses. Rezoning the property to GC-1 will create a situation where this property could have an adverse impact on adjacent residential land uses.</p>
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Vicinity Map







# Vance COUNTY

NORTH CAROLINA

## Rezoning Process

Vance County Planning & Development Department

156 Church Street, Suite 3  
Henderson, NC 27536  
Ph: (252) 738-2080  
Fax: (252) 738-2089

**For Administrative Use Only:**

Case #	
Fee Paid	
PB Date	
BOC Date	

### Property Owner Information

Property Owner: PCG Enterprises of Cleveland  
Mailing Address: 1984 Matthews Rd  
City: Clayton State: NC Zip Code: 27520  
Phone #: ( ) - Fax #: ( ) -  
E-mail Address: \_\_\_\_\_

### Applicant Information

Applicant: J & J Lake Properties LLC  
Mailing Address: PO Box 629  
City: Townsville State: NC Zip Code: 27584  
Phone #: (919) 219-4312 Fax #: ( ) -  
E-mail Address: Jmt.rtp@gmail.com

### Property Information *For multiple properties please attach an additional sheet.*

Property Address: corner of Nutbush Rd & Satterwhite Rd  
Tax Map Number: 0600 03004 PIN (parcel identification #): 0600 03004

Existing Zoning: R-3D Proposed Zoning: GCI  
Acreage: 4.91 Road Frontage: Satterwhite 490'  
Existing Use: Not in use

### Deed Reference

- Metes and bounds description attached
- Site plan/sketch of proposal attached



# Vance COUNTY

NORTH CAROLINA

## Rezoning Process

Vance County Planning & Development Department

### Statement of Justification

1. Would the amendment correct an error in the zoning map?  NO  YES: *Please explain below:*

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2. Have conditions changed in the area to justify the requested amendment?  NO  YES: *Please explain below:*

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3. What factors justify the proposed amendment?

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### Property Owners Signature

*Please sign in blue or black ink*

Date \_\_\_\_\_

### Applicants' Signature

*Please sign in blue or black ink*

Date 1-



# Permit Receipt

Receipt No.: 24-00126

**received from**

owner  
Owner  
156 Church St  
Henderson, NC 27536-0000

Receipt No.: 24-00126  
Receipt Date: 02/01/2024  
Receipt Time: 1:27 PM  
Payment Method: Check  
Payment Note: 1106  
Project ID #: REZON-24-0164  
Project Type: Plan - Rezoning  
Address: Satterwhite Point Rd.

## Transactions

Fee type	Amount
Rezoning Petition	\$ 250.00

Amount Paid \$ 250.00

**received by**

Heather Lovings  
305 B Young St.  
Henderson, NC 27536  
(252) 738-2080 Phone

**Account Summary**

10342-434203      \$ 250.00

Vance County Tax Parcel Viewer



20 m

Roads/Addressing

Vance County Roads (Centerlines)



Tax Parcels & Zoning

Buildings



Tax Parcels

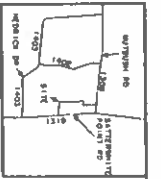


Vance County Zoning



# Z-615

# Z-615



To the best of my knowledge and belief, I have measured and shown the lines and bearings and distances with 2000 feet of a Grid Adjustment.

NOTE: ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

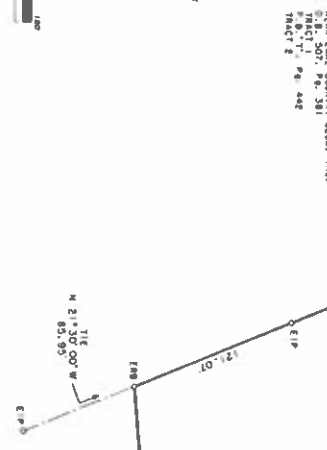
ALL OF THE FOLLOWING PROPERTY OWNERS ARE CONTROL COPIES UNLESS OTHERWISE NOTED: W.B. N.S. MAP; E.P. 88; E.S. 5; E.M.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE NECESSITY OF A RECONCILIATION AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

NOTE: AREA COMPUTED BY COORDINATE METHOD

THIS DIAGRAM IS SUBJECT TO ALL THE TERMS AND CONDITIONS AND PROVISIONS OF ANY OF RECORDED PLATS TO THE DATE OF THIS DIAGRAM.

- LEGEND**
- EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
  - MAP Map from 1915 Plat
  - EIP Existing 1/4 Acre Parcel
.R. 1915 Plat



4.911 ACRES  
P.B. 02, P. 60  
TRACT 1 (PART)

4.911 ACRES  
P.B. 02, P. 60  
TRACT 1 (PART)

4.911 ACRES  
P.B. 02, P. 60  
TRACT 1 (PART)

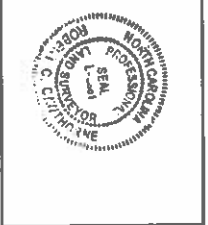
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P.B. 02, P. 60  
TRACT 1 (PART)

4.911 ACRES  
P.B. 02, P. 60  
TRACT 1 (PART)

4.911 ACRES  
P.B. 02, P. 60  
TRACT 1 (PART)

I, Robert C. Cawthorne, certify that this diagram was prepared under my supervision from an original field survey made under my personal supervision from data obtained on the ground. I have personally reviewed the diagram and certify that it is a true and correct representation of the survey made on the ground. This diagram was prepared in accordance with the provisions of Chapter 46, Part 1 of the Florida Statutes, and I am a duly licensed Professional Land Surveyor, State of Florida, No. 13561.

I certify that this survey is of an existing parcel or parcels of land and does not create a new street or engage an existing street.



**CAWTHORNE & ASSOCIATES**  
Registered Land Surveyors, P.A.  
License No.: C-0378  
822 Dabney Drive  
Henderson, North Carolina 27536  
Phone H 252-492-0041

PCG ENTERPRISE OF CLEVELAND, LLC  
OWNER - WILLIAM J. BERRY, KENNETH CRAWFORD  
AND LARRY D. BRANCH  
MIDDLEBURG TOWNSHIP  
VANCE COUNTY, NORTH CAROLINA  
SCALE 1" = 60'  
FILE # 91-22-056-1  
TAX MAP # 800-3-4

FILED Sep 26 2022 10:12 AM  
VANCE COUNTY, NORTH CAROLINA  
REGISTERED PROFESSIONAL LAND SURVEYOR  
CASSANDRA NEAL REGISTER OF DEEDS



# Z-615

## Exhibit "A"

BEGIN at an existing iron pin on the West side of S. R. 1319 (Satterwhite Point Road), the same being North 00° 03' West approximately 370 feet from the intersection of S. R. 1319 (Hedrick Drive), run thence North 20° 24' West 313.9 feet to an existing iron pin; thence North 17° 35' West 29 feet to an iron pin; thence North 23° 00' West 196.6 feet to an existing iron pin; thence in a curve with a radius of 318.3 feet Northerly 238.7 feet to an existing iron pin; thence North 21° 30' West 495.4 feet to an existing iron pin; thence with a curve having a radius of 234.5 feet North 111.9 feet to an existing iron pin; thence North 12° 54' 58" East 176.23 feet to an existing iron pin on the Southern edge of State Road 1308; thence along the Southern edge of State Road 1308 South 71° 08' East 339 feet to an iron pin, South 72° 49' East 147.4 feet to an iron pin located at the intersection of State Road 1308 and State Road 1319; thence along the Western edge of the right of way for State Road 1319 South 00° 32' West 76.3 feet, South 2° 30' East 199.8 feet, South 3° 51' East 527 feet and South 44' East 460.2 feet to the place of the beginning. The same being Tract 1 consisting of 8.804 acres, as shown on plat of property of Mildred F. Hedrick and Victor Coleman Hedrick made by Luther E. Stegall, R.L.S. October 25, 1980, recorded in Plat Book U at Page 60, Vance County Registry.

mrb/Misc. P/9-89

FILED Sep 30, 2022 FILED ELECTRONICALLY  
 AT 11:49:00 AM VANCE COUNTY NC  
 BOOK 01422 CASSANDRA D. NEAL  
 START PAGE 1217 END PAGE 1227  
 INSTRUMENT # 04134  
 RECORDING \$26.00  
 EXCISE TAX \$260.00  
 CDN

*This instrument was prepared by Katie Dowell of Raleigh Real Estate Law, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.*

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax:	\$260.00
Parcel ID:	0600 03004
Mail/Box to:	Raleigh Real Estate Law, 7008 Harps Mill Rd, Ste 101, Raleigh, NC 27615
Prepared by:	Raleigh Real Estate Law, 7008 Harps Mill Rd, Ste 101, Raleigh, NC 27615
Brief description for the index:	Metes and Bounds Satterwhite Point

THIS GENERAL WARRANTY DEED ("Deed") is made on the 21 day of September, 20 22, by and between:

GRANTOR	GRANTEE
Bertha L Berry, spouse and sole heir of William J Berry [Estate File 98-E-284 Vance County], and  Larry D. Branch, unmarried, and  Wesley Scott Crawford, unmarried, as Administrator and Heir to the Estate of Kenneth Crawford [Estate File PC-2020-888 Fulton County, GA], and  Melissa Beth Crawford Krumm, as Heir to the Estate of Kenneth Crawford, and husband, Jason Krumm, and  Brittany Leigh Crawford Owen (aka Brittany Leigh Crawford-Owen), unmarried, as Heir to the Estate of Kenneth Crawford	PCG Enterprises of Cleveland, LLC, a North Carolina Limited Liability Company 1984 Matthews Road Clayton, NC 27520

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Henderson, Middleburg Township, Vance County, North Carolina and more particularly described as follows (the "Property"):

**BEGIN** at an existing iron pin on the West side of S.R. 1319 (Satterwhite Point Road), the same being North 00° 03' West approximately 370 feet from the intersection of S.R. 1319 (Hedrick Drive), run thence North 20° 24' West 313.9 feet to an existing iron pin; thence North 17° 35' West 29 feet to an iron pin; thence North 23° 00' West 196.6 feet to an existing iron pin; thence in a curve with a radius of 318.3 feet Northerly 238.7 feet to an existing iron pin; thence North 21° 30' West 495.4 feet to an existing iron pin; thence with a curve having a radius of 234.5 feet North 111.9 feet to an existing iron pin; thence North 12° 54' 58" East 176.23 feet to an existing iron pin on the Southern edge of State Road 1308; thence along the Southern edge of State road 1308 South 71° 08' East 339 feet to an iron pin, South 72° 49' East 147.4 feet to an iron pin located at the intersection of State Road 1308 and State Road 1319; thence along the Western edge of the right of way for State Road 1319 South 00° 32' West 76.3 feet, South 2° 30' East 199.8 feet, South 3° 51' East 527 feet and South 44° East 460.2 feet to the place of beginning. The same being Tract 1 consisting of 8.804 acres, as shown on plat of property of Mildred F. Hedrick and Victor

Submitted electronically by "Raleigh Real Estate Law"  
 in compliance with North Carolina statutes governing recordable documents  
 and the terms of the submitter agreement with the Vance County Register of Deeds.



Coleman Hedrick made by Luther E. Stegall, R.L.S. October 25, 1980, recorded in Plat Book U, at Page 60, Vance County Registry.

**LESS AND EXCEPT** the following three tracts:

**TRACT ONE:**

**BEGINNING** at a new iron pipe located along the western edge of the right of way for Satterwhite Point Road, said new iron pipe being further located N 04° 10' 35" W 409.03 feet from an existing pk nail at the point of intersection of the centerline of Hedrick Drive and Satterwhite Point Road, run thence N 20° 20' 50" W. 314.45 feet along the Kerr Lake Country Club Property to an existing iron pipe; run thence N 17° 31' 50" W. 29.00 feet to a new iron pipe; run thence N 22° 56' 51" W 196.54 feet along the Kerr Lake Country Club Property to an existing iron pipe; run thence along a curve having a chord bearing of N 48° 51' 33" W 172.00 feet (Radius = 318.30 feet) to a new iron pipe; run thence N 81° 40' 56" E 308.09 feet along the William J. Berry et al Property to a new iron pipe located in the western edge of the right of way for Satterwhite Point Road; run thence S 03° 51' 00" E 201.00 feet along the right of way for Satterwhite Point Road to a new iron pipe located 2.47 feet South of a broken concrete monument; continue thence S 00° 44' 00" E 460.69 feet along the western edge of the right of way for Satterwhite Point Road to the point of beginning. The same containing 1.88 acres according to the map of the "Survey for Charles Bowman" as drawn by Cawthorne and Associates, RLS, P.A., dated December 31, 1993, and being a portion of that property conveyed to the grantors herein at Book 653, Page 866, of the Vance County Registry.

Being the identical property described in Deed Book 735, Page 784, Vance County Registry.

**TRACT TWO:**

Commencing at an existing pk nail located at the intersection of the centerlines of Satterwhite Point Road and Nutbush Road run thence along the centerline of Nutbush Road N 73° 12' 30" W 319.17 feet to a new iron spike; run thence S 13° 38' 58" W 29.99 feet to a new iron pipe set in the southern edge of the margin of the right of way of Nutbush Road thje point and place of beginning.

From the above located beginning point run thence along a new line for Larry D. Branch, et all (Deed Book 653, Page 866) S 13° 39' 01" W 217.41 feet to a new iron pipe; continue thence along new Branch line N 80° 05' 13" W 167.78 feet to a new iron pipe; run thence along common line with Kerr Lake County Club (Deed Book 418, Page 10 and Deed Book 507, Page 381) along a curve to the right having an arc distance of 74.79 feet, a radius of 234.50 feet and having a chord bearing and distance of N 03° 11' 22" W 74.47 feet to an existing iron pipe; run thence along common line with Bobby Jeffry Jones (Deed Book 697, Page 760) N 13° 00' 56" E 176.00 feet to an existing iron pipe located in the southern edge of the margin of the right of way of Nutbush Road; run thence along the southern edge of the margin of the right of way of Nutbush Road S 70° 41' 27 E 191.88 feet to anew iron pipe the point and place of beginning. The above described tract contains 1.00 acre as shown on that map of property surveyed for William G. Wortham, Jr., dated April 14, 1999, as prepared by Alan's Surveying Company, P.A.

Being the identical property described in Deed Book 851, Page 487, Vance County Registry.

**TRACT THREE:**

Parcel 1 containing 1.00 acres according to survey and plat entitled "Recombination Survey for Steven R. Falkner and Kathryn B. Falkner" as prepared by Cawthorne & Associates, RLS, PA, dated January 5, 2005 as appears in Plat Book "X" Page 115 in the office of the Register of Deeds of Vance County [04-MS-63T]

Being the identical property described in Deed Book 1077, Page 58, Vance County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 653, Page 866, Vance County Registry.

Larger Parcel Site Address: 0 Kerr Lake, Henderson, NC 27537 (new parcel 00000 Satterwhite Point Road)

PIN: 0600 03004

Coleman Hedrick made by Luther E. Stegall, R.L.S. October 25, 1980, recorded in Plat Book U, at Page 60, Vance County Registry.

**LESS AND EXCEPT** the following three tracts:

**TRACT ONE:**

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**TRACT TWO:**

Commencing at an existing pk nail located at the intersection of the centerlines of Satterwhite Point Road and Nutbush Road run thence along the centerline of Nutbush Road N 73° 12' 30" W 319.17 feet to a new iron spike; run thence S 13° 38' 58" W 29.99 feet to a new iron pipe set in the southern edge of the margin of the right of way of Nutbush Road thje point and place of beginning.

From the above located beginning point run thence along a new line for Larry D. Branch, et all (Deed Book 653, Page 866) S 13° 39' 01" W 217.41 feet to a new iron pipe; continue thence along new Branch line N 80° 05' 13" W 167.78 feet to a new iron pipe; run thence along common line with Kerr Lake County Club (Deed Book 418, Page 10 and Deed Book 507, Page 381) along a curve to the right having an arc distance of 74.79 feet, a radius of 234.50 feet and having a chord bearing and distance of N 03° 11' 22" W 74.47 feet to an existing iron pipe; run thence along common line with Bobby Jeffry Jones (Deed Book 697, Page 760) N 13° 00' 56" E 176.00 feet to an existing iron pipe located in the southern edge of the margin of the right of way of Nutbush Road; run thence along the southern edge of the margin of the right of way of Nutbush Road S 70° 41' 27" E 191.88 feet to anew iron pipe the point and place of beginning. The above described tract contains 1.00 acre as shown on that map of property surveyed for William G. Wortham, Jr., dated April 14, 1999, as prepared by Alan's Surveying Company, P.A.

Being the identical property described in Deed Book 851, Page 487, Vance County Registry.

**TRACT THREE:**

Parcel 1 containing 1.00 acres according to survey and plat entitled "Recombination Survey for Steven R. Falkner and Kathryn B. Falkner" as prepared by Cawthorne & Associates, RLS, PA, dated January 5, 2005 as appears in Plat Book "X" Page 115 in the office of the Register of Deeds of Vance County [04-MS-63T]

Being the identical property described in Deed Book 1077, Page 58, Vance County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 653, Page 866, Vance County Registry.

Larger Parcel Site Address: 0 Kerr Lake, Henderson, NC 27537 (new parcel 00000 Satterwhite Point Road)

PIN: 0600 03004



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: PCG Enterprises of Cleveland LLC

SECRETARY OF STATE ID NUMBER: 1047866 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2023

Filing Office Use Only
E - Filed Annual Report
1047866
CA202310402266
4/14/2023 09:00
Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Gower, Phillip

2. SIGNATURE OF THE NEW REGISTERED AGENT:

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

1425 Ponderosa Dr
Raleigh, NC 27603-4637 Wake County

1425 Ponderosa Dr
Raleigh, NC 27603-4637

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: ice machine

2. PRINCIPAL OFFICE PHONE NUMBER: (919) 271-3753

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

1425 Ponderosa Dr
Raleigh, NC 27603-4637

1425 Ponderosa Dr
Raleigh, NC 27603-4637

6. Select one of the following if applicable. (Optional see instructions)

The company is a veteran-owned small business

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Bobby Gower
TITLE: Manager
ADDRESS: 12905 hwy.70 w
clayton, NC 27520

NAME: Phillip C Gower
TITLE: Manager
ADDRESS: 1425 Ponderosa Drive
Raleigh, NC 27603

NAME:
TITLE:
ADDRESS:

SECTION D: CERTIFICATION OF ANNUAL REPORT, Section D must be completed in its entirety by a person/business entity.

Phillip C Gower
SIGNATURE

4/14/2023
DATE

Form must be signed by a Company Official listed under Section C of This form.

Phillip C Gower
Print or Type Name of Company Official

Manager
Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29526, Raleigh, NC 27626-0526

**To Whom This May Concern,**

**On behalf of PCG Enterprises of Cleveland LLC I Bobby Gower give permission to Joe Mitchell and John Swartz to request and complete rezoning for property pin #060003004 located on the corner of Satterwhite Point rd. and Nutbush rd. in Vance County. If you have any questions please fell free to contact me at 919-868-0898.**

**Bobby Gower**

A handwritten signature in black ink, appearing to be 'B. Gower', written over a light gray background.



## Planning and Development Department

305 Young Street – Suite B, HENDERSON, NC 27536  
(252) 738-2080/FAX 738-2089

### Staff Report

#### Vance County Planning Board

Case# ZMA24-004

Owner: James and Betty  
Johnson

Applicant: James and  
Betty Johnson

Parcel Number: 0425  
01006

Location: 5891 Highway  
158 Business

Current Zoning: GC-1

Requested Zoning:  
AR

Meeting Date: March  
14, 2024

Prepared by: Vance  
County Planning

**PURPOSE:** To review and make a recommendation on a Zoning Map Amendment (ZMA) request for a parcel of property located at 5891 Highway 158 Business

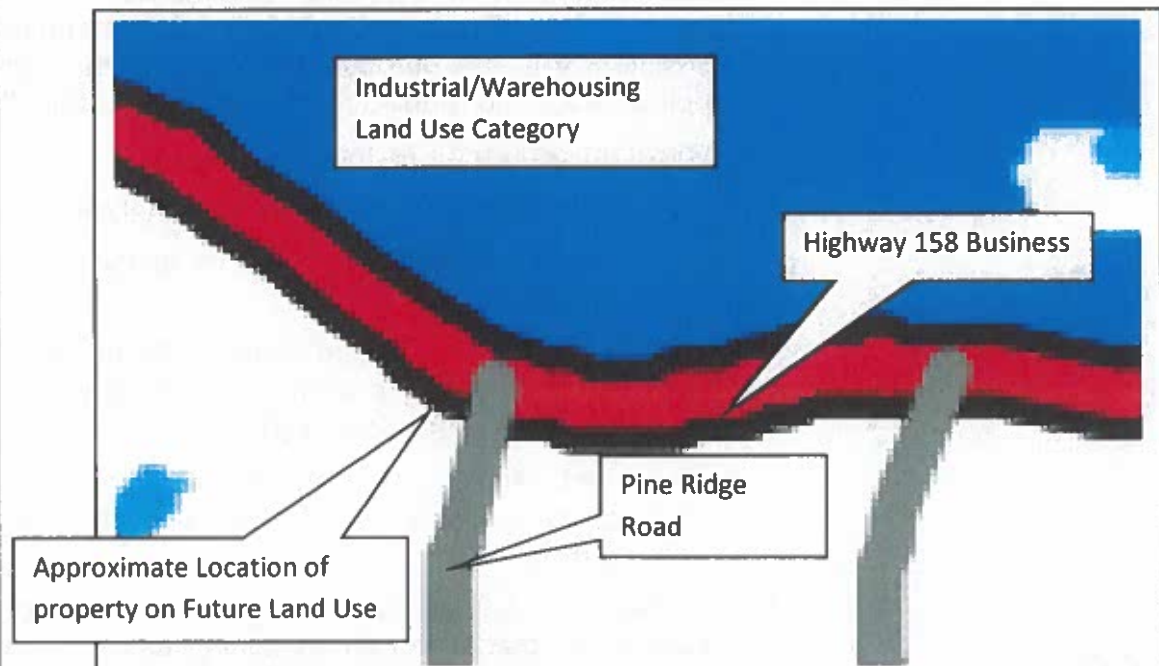
**FROM:** General Commercial (GC-1)

**TO:** Agricultural Residential (AR)

**BACKGROUND:** The Basic facts of the application are as follows:

- Owner/Applicant: James and Betty Johnson
- Location: 5891 Highway 158 Business (PIN 0425 01006)
- Size of Parcel: 4.79 acres
- Existing Conditions/Features: The parcel is developed with an existing 3,800 sq.ft. structure supporting an office/commercial repair garage facility and a 3,200 sq.ft structure supporting individual storage units as part of a recreational vehicle/camper park operation. Existing topography is flat and there is sparse vegetation throughout the parcel.
- Roads/Access: Access is off Highway 158 Business, a State maintained roadway.
- Future Land Use Designation: The parcel is within a rural designated area of the County as designated on the adopted Future Land Use Map.

The parcel is not located within a designated Transitional Development or Neighborhood Area or within a defined Development Community as defined in the adopted Land Use Plan.



g. Surrounding Zoning:

North: Employment and Institutional Area (EIA) zoning; Residential Low Density (R-30) general use zoning (single-family residential land uses); US Highway 158;

South/West: AR general use zoning (property owned by applicant and undeveloped property, farming activity); Pine Ridge Road;

East: R-30 general use zoning (single-family residential land uses); Pine Ridge Road.

Please refer to the attached Vicinity Map for more detail on the zoning of the area in question.

**PROPOSAL:** Applicant wishes to rezone the property to AR. As part of the request, the applicant will be seeking to expand his existing recreational vehicle/campground operation which is a permitted use within the AR general use zoning district subject to the submittal and approval of a Special Use Permit.

**STAFF COMMENT:** The existing recreational vehicle park was developed prior to the adoption of the county-wide zoning. It is allowed to continue operating under the provisions of Section 5 *Nonconformities* of the Zoning Ordinance. The applicant cannot expand or make modifications to the park, however, without bringing the park into compliance with the Zoning Ordinance.

This will entail addressing the zoning of the property (i.e. rezoning to AR) and applying for the Special Use Permit.

**STAFF COMMENTS:**

A. General Use Map Amendment Process: Involves review/action of a rezoning petition in accordance with Section 11 of the Ordinance.

Applications processed in a legislative manner (i. e., does not require sworn testimony or evidence) and decisions are based on the Vance County Board of County Commissioners determination that the project is consistent with the purpose and intent of the Comprehensive Plan and applicable Zoning regulations as embodied within the Ordinance.

Typical procedure for review is as follows:

- First Action — Staff review and analysis.

**STAFF COMMENT:** Staff's analysis of the request contained herein.

- Second Action — The Planning Board reviews the application at a regular meeting and makes a recommendation to the Board of County Commissioners (BOCC).

- Third Action — The BOCC receives the Planning Board recommendation and decides at a previously advertised legislative hearing.

B. Per Section 11.3 of the Zoning Ordinance, the Planning Board shall follow policy guidelines for all zoning amendments. A proposed zoning amendment will not receive favorable recommendation unless:



- The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.

**STAFF COMMENT:** All of the parcels on the south side on the south side of US Business 158 are zoned AR. Rezoning the property to AR will place the property into the same zoning classification as adjacent property.

The parcel is within a rural designated land use category per the adopted Land Use Plan, which allows for the AR general use zoning designation.

- There is convincing demonstration that all uses permitted under the proposed zone classification would be in the general public interest and not merely in the interest of an individual or small group.

**STAFF COMMENT:** As all of the adjacent parcels to the west and south are zoned AR, the rezoning would not permit land uses inconsistent with the majority of existing zoning in the area.

**As a reminder, rezoning of the property to AR is no guarantee of the issuance of a Special Use Permit by the Board of Adjustment.** That is a separate process where the applicant is required to demonstrate the request complies with the provisions of the Zoning Ordinance. Approval of the rezoning request is no guarantee of permit issuance.

- There is convincing demonstration that all uses permitted under the proposed zone classification would be appropriate in the area included in the proposed change. (When a new zone designation is assigned, any use permitted in the zone is allowable, so long as it meets zone requirements, and not merely uses which applicants state that they intend to make of the property involved.)

**STAFF COMMENT:** Allowable land uses in the AR complement existing residential development in the area.

- There is convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change.

**STAFF COMMENT:** There is an argument that the area already supports land uses already permitted under the AR general use zoning district (i.e., a recreational vehicle campground is permitted under the AR general use zoning district subject to the issuance of a Special Use Permit).

- The proposed change is in accord with the County Land Use Plan and sound planning principles.

**STAFF COMMENT:** As indicated by staff this parcel is not in an area previously identified as serving economic development goals/needs.



- C. Per applicable County policy and State law, the County is unable to impose conditions or establish limitations on development activities with a general use rezoning. Presuming rezoning to AR, development will be consistent with applicable land use regulations as embodied within the Ordinance.
- D. There are goals of the Comprehensive Plan appearing to support the request, namely:
  - i. GOAL 1: To encourage development at a rate and in a pattern which can be efficiently and effectively served by existing and planned services and facilities.
  - ii. Goal 4: To promote, expand, and diversify the economic base in Vance County to maximize the use of human resources while protecting important natural features and community values

**PLANNING BOARD ACTION:** The Planning Board is being asked to make a recommendation to the Board of County Commissioners (BOCC) on the requested Zoning Map Amendment. The Board can do the following:

**I. RECOMMENDATION FOR APPROVAL:**

The Planning Board has determined the request is consistent with the provisions of the adopted Vance County Land Use Plan and is supported by the goals and objectives of the plan, including:

GOAL 1: To encourage development at a rate and in a pattern which can be efficiently and effectively served by existing and planned services and facilities.

Goal 4: To promote, expand, and diversify the economic base in Vance County to maximize the use of human resources while protecting important natural features and community values

The area in question is predominately zoned Agricultural Residential (AR) and supports land uses, both permitted by right and permitted through the issuance of a Special Use Permit, allowed in that general use zoning district. The request represents a logical extension of existing AR general use zoning development activities and does not represent a deviation of what is envisioned under the adopted Land Use Plan.

The Board has determined the request is reasonable and in the public interest by promoting additional rural residential and economic development activities within the County, allowing for the logical expansion of existing agricultural development activity in the area, and will continue to promote a diverse rural economic tax base consistent with the permitted uses within the AR general use zoning district.

**II. RECOMMENDATION FOR DENIAL:**

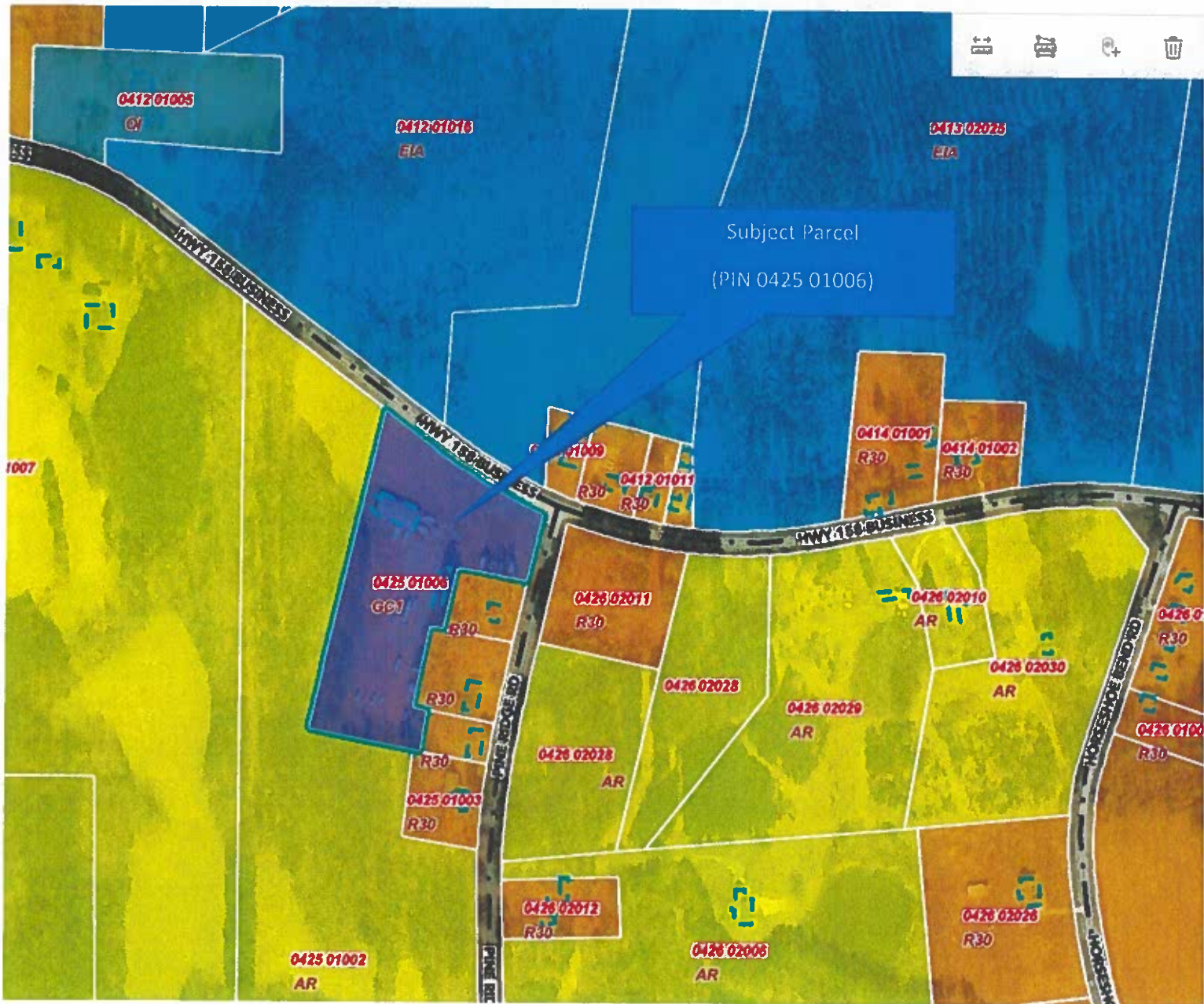
The Planning Board has determined the request is not consistent with the provisions of the adopted Vance County Land Use Plan and is supported by the goals and objectives of the plan, including:

Goal 4: To promote, expand, and diversify the economic base in Vance County to maximize the use of human resources while protecting important natural features and community values

The area to the north is slated for non-residential development and this property has been zoned for commercial development for some time. Rezoning this property to a residential zoning designation will not allow for the continued expansion of economic development activities in an area of the County where such development is anticipated to occur.

The Board has determined the request is unreasonable and not in the public interest. While there may be residential developments and zoning to in and around the subject property, rezoning the property to a residential zoning designation would limit the logical expansion of the County's economic base as envisioned by the Land Use Plan.

Vicinity Map and Adjacent Zoning





# Vance COUNTY

NORTH CAROLINA

## Rezoning Process

Vance County Planning & Development Department

156 Church Street, Suite 3  
Henderson, NC 27536  
Ph: (252) 738-2080  
Fax: (252) 738-2089

**For Administrative Use Only:**

Case #	
Fee Paid	
PB Date	
BOC Date	

### Property Owner Information

Property Owner: James H Johnson & Betty L. Johnson  
 Mailing Address: PO Box 724  
 City: Henderson State: NC Zip Code: 27536  
 Phone #: (252) 492-0533 Cell/Fax #: (252) 430-4019  
 E-mail Address: Johnsonjim935@gmail.com

### Applicant Information

Applicant: James H Johnson, III  
 Mailing Address: PO Box 724  
 City: Henderson State: NC Zip Code: 27536  
 Phone #: (252) 492-0533 Fax #: ( ) -  
 E-mail Address: \_\_\_\_\_

### Property Information For multiple properties please attach an additional sheet.

Property Address: 5891 Hwy 158 Business, Henderson, NC 27536  
 Tax Map Number: 0425 01006 PIN (parcel identification #): 0425 01006  
 Existing Zoning: Commercial (C-1) Proposed Zoning: ~~Commercial~~ AR  
 Acreage: ~~3.75~~ 4.79 Road Frontage: 468.33'  
 Existing Use: Storage & 6 camp sites (RV)

### Deed Reference

- Metes and bounds description attached
- Site plan/sketch of proposal attached



# Vance COUNTY

NORTH CAROLINA

## Rezoning Process

Vance County Planning & Development Department

### Statement of Justification

1. Would the amendment correct an error in the zoning map?  NO  YES: Please explain below:

---



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2. Have conditions changed in the area to justify the requested amendment?  NO  YES: Please explain below:

Demand for Temporary Campsites, due to growth in Vance Grandville, Warren, Franklin. Traveling nurses additional space needed to accomodate overnight

3. What factors justify the proposed amendment?

conscious time to various locations, one mile off I-85 - 25 min to W.F 30 min to Durham 4 min to MPH 6 min to Grandville 25 min to Louisburg Easy off Exit 209 I-85 - 1 mile

### Property Owners Signature

James H. Johnson III  
Please sign in blue or black ink

Date \_\_\_\_\_

### Applicants' Signature

James H. Johnson III  
Please sign in blue or black ink

Date \_\_\_\_\_





50 m

Roads/Addressing

Vance County Roads (Centerlines)



## Tax Parcels & Zoning

### Buildings



### Tax Parcels



### Henderson Zoning

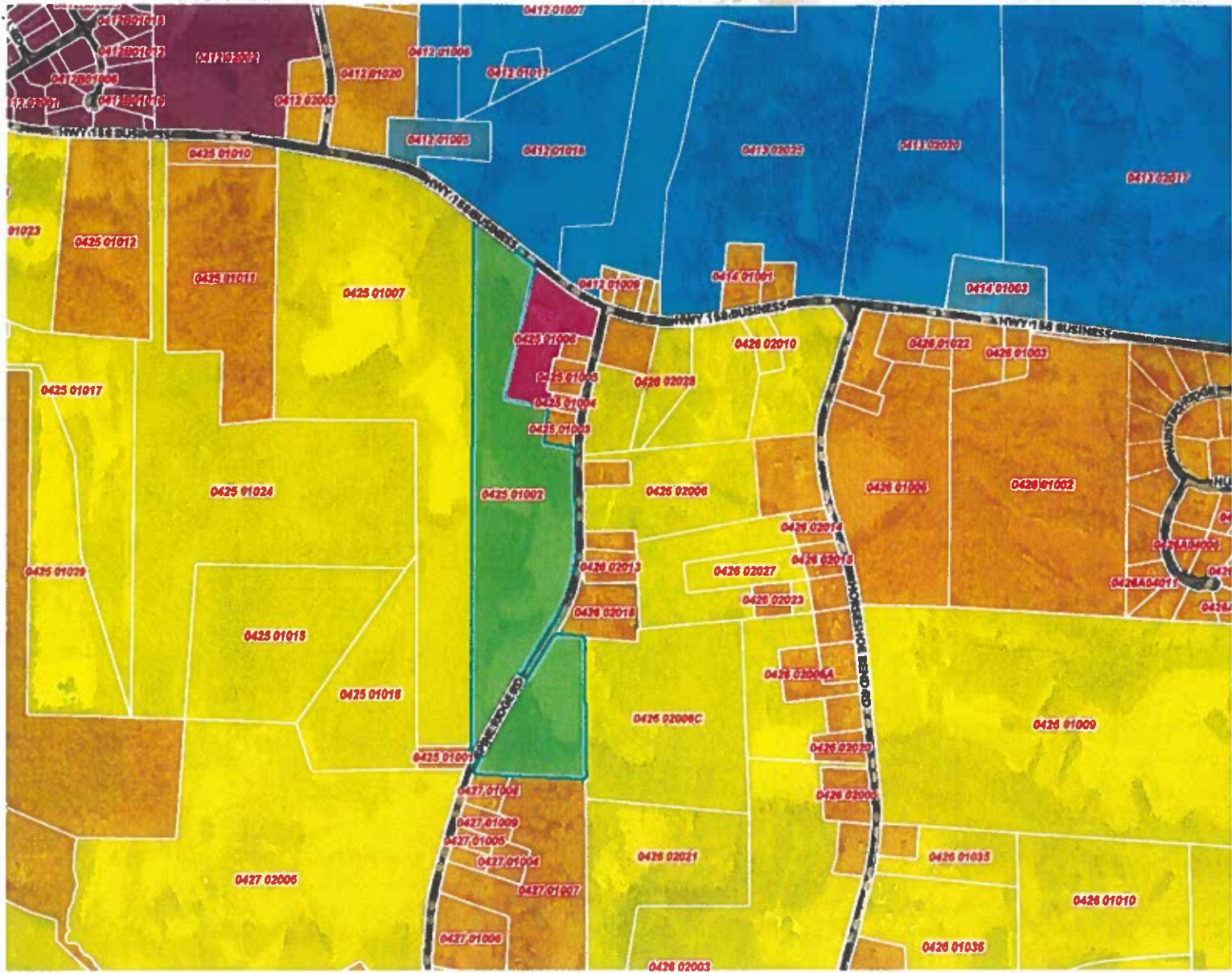
-  R8
-  B1
-  B2
-  B2A
-  B3
-  B4
-  I1
-  I2
-  OI
-  OIA
-  R11
-  R15
-  R15M
-  R20
-  R40
-  R6
-  R8
-  R8M
-  RA
-  Other

### Vance County Zoning

- 
-  AR
-  EIA
-  GC1
-  HC
-  IM
-  LI
-  OI
-  OS
-  R10
-  R20
-  R30



Vance County Tax Parcel Viewer



200 m

Roads/Addressing

Vance County Roads (Centerlines)



Tax Parcels & Zoning

Tax Parcels



Vance County Zoning

-  AR
-  EIA
-  GC1
-  HC
-  IM
-  LI

- OI
- OS
- R10
- R20
- R30
- RMHC
- others

## Tax Parcels

### Tax Parcels

PIN	0425 01002
Tax Card	<a href="#">View</a>
Deed Book & Page	<a href="#">View</a>
Owner Name	JOHNSON JAMES H III
Owner Address	PO BOX 724
Owner Address - (2)	
Owner Name - (2)	JOHNSON BETTY L
City	HENDERSON
State	NC
Zip Code	27536
Calculated Acreage	33.49
Deeded Acreage	0.00
Tax Assessment \$	7,597.00
Plat Reference	Z197
Deed Book	1369
Deed Page	138
Deed Reference (Legacy)	
Deeded Acreage (Legacy)	0.00
Owner ID (Tax)	11215

## Vance County Zoning Category

### Vance County Zoning Category

Zoning Classification	AR
-----------------------	----

V-811

VANCE COUNTY, N.C.

PLAT 150-0023

2011-3 1110:04

CONCRETE

CONCRETE

Sephia W. Reese  
D.B. 167, Pg. 382

Method

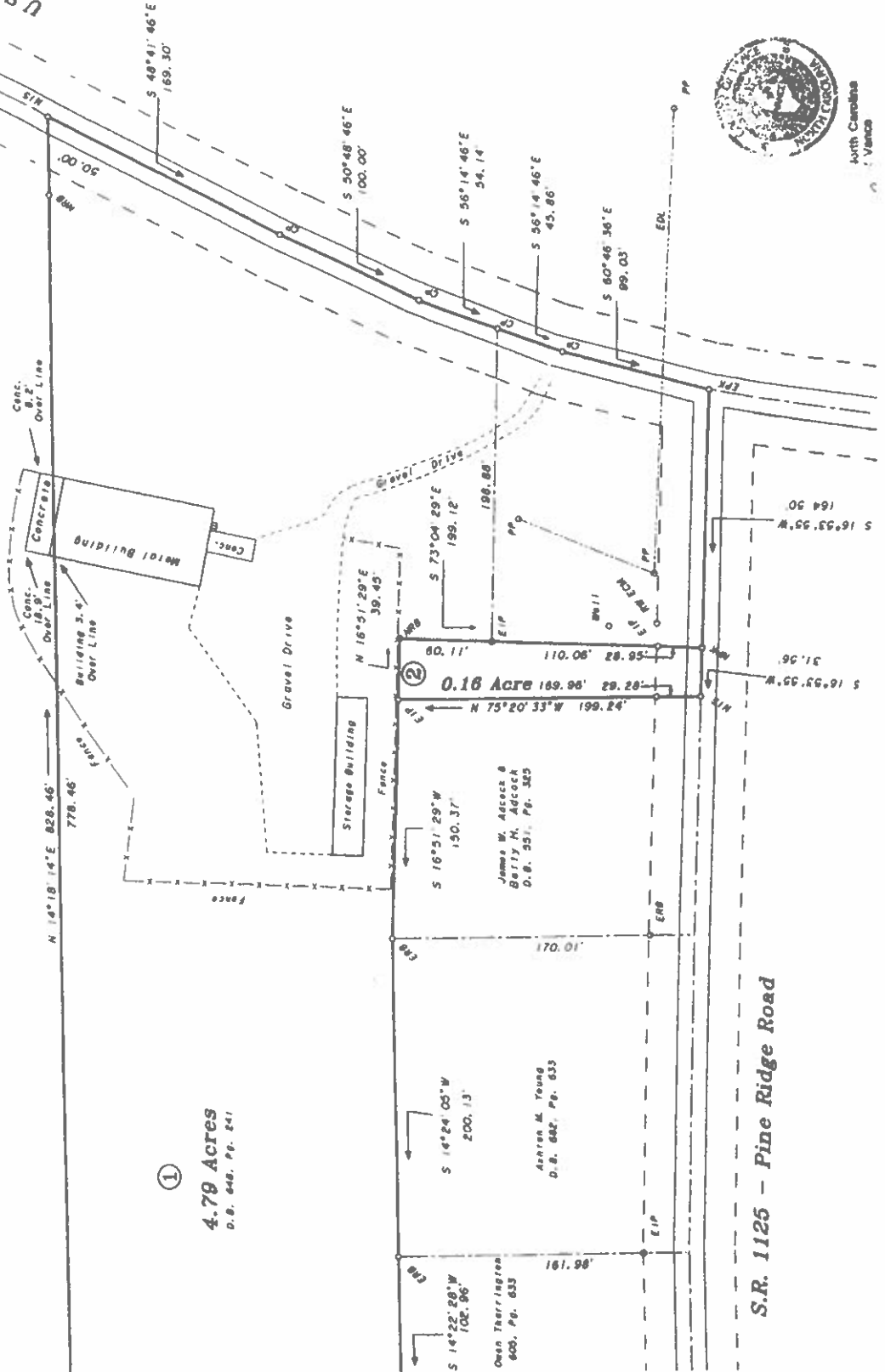
10 D.B. 648, Pg. 241



①

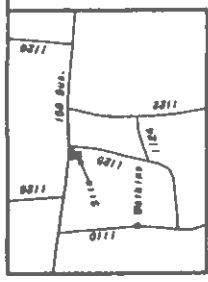
4.79 Acres  
D.B. 648, Pg. 241

U.S. 158 Bus.



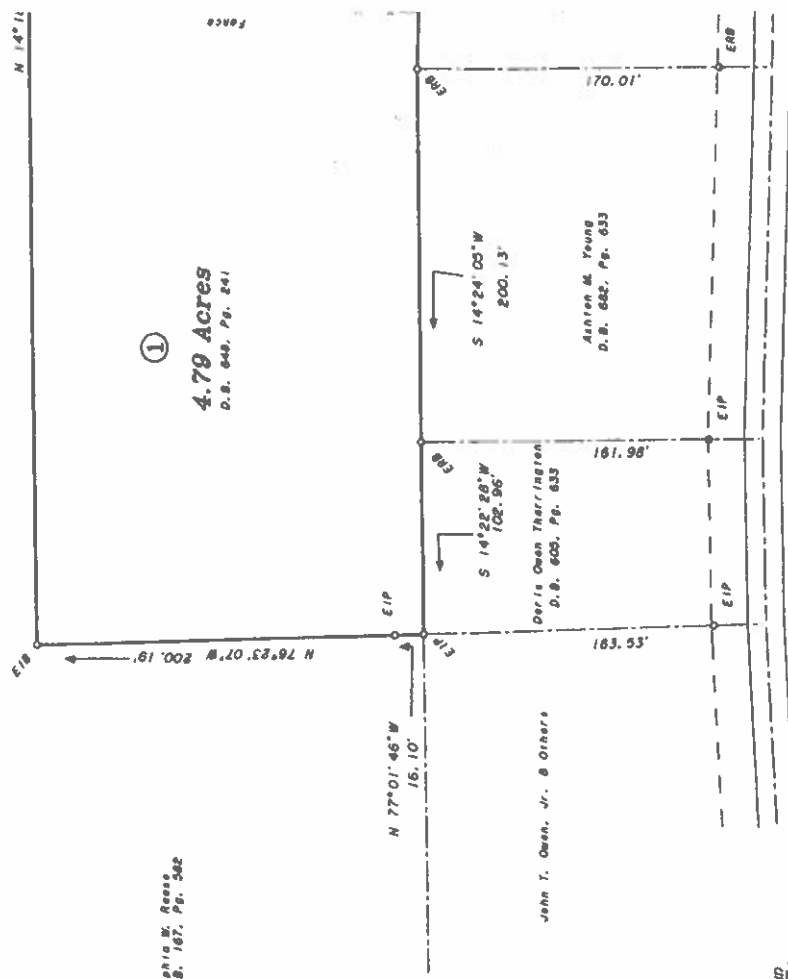
North Carolina  
Vance

V



NOTE: Area computed by Coordinate Method

North Relative to D.B. 648, Pg. 241



Sophia W. Reese  
D.B. 167, Pg. 542

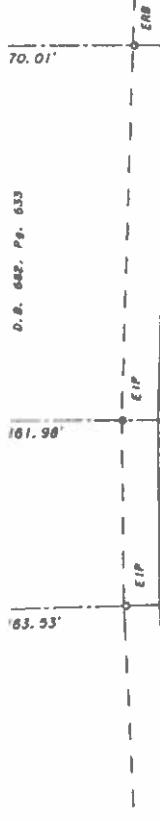
John T. Owen, Jr. & Others

Deris Owen Tharrington  
D.B. 605, Pg. 633

Ashton & Young  
D.B. 682, Pg. 633

- LEGEND
- EIP Existing Iron Pipe or Pin
  - NIP New Iron Pipe
  - EIS Existing Iron Spike
  - NIS New Iron Spike
  - EPA Existing PK Nail
  - NPA New PK Nail
  - EAB Existing Anchor Bolt
  - NAB New Anchor Bolt
  - ENL Existing Nail
  - NWL New Nail
  - R-W Right-of-Way
  - ECM Existing Concrete Monument
  - PP Power Pole
  - ERS Existing Railroad Spike
  - NRS New Railroad Spike
  - EMW Existing Monument
  - BLM Building Line

D.B. 642, Pg. 633



**S.R. 1125 - Pine Ridge Road**

**LEGEND**

- EIP Existing Iron Pipe or Pin
- NIP New Iron Pipe
- EIS Existing Iron Spike
- NIS New Iron Spike
- EMK Existing M. Nail
- EMN Existing Nail
- ERB Existing Rebar
- MRB New Rebar
- EML Existing Nail
- R/W Right-of-Way
- ECM Existing Concrete Monument
- CP Copper Pipe
- CPM Existing Redwood Spike
- MSM New Redwood Spike
- CP Computed Point
- MBL Minimum Building Line
- EDL Electric Distribution Line
- ECL Electric Service Line
- E Centerline
- P Property Line
- M 60 Penny Nail



To the best of my knowledge, this survey is not located within 2000 feet of a Grid Monument.

This plat is subject to all assessments, agreements and rights of way of record prior to the date of this plat.

I, Wallace G. Cochrane, certify that under my direction and supervision this map was drawn from an actual field survey, that the same is a true and correct copy of the original as filed by title and recorded in volume 1: 10,000 that this map was prepared in accordance with the N.C. Standards of Practice for Land Surveying, Division of Professional Regulation, Raleigh, N.C. and that this map was prepared on 10/15/2013 day of October, 2013.

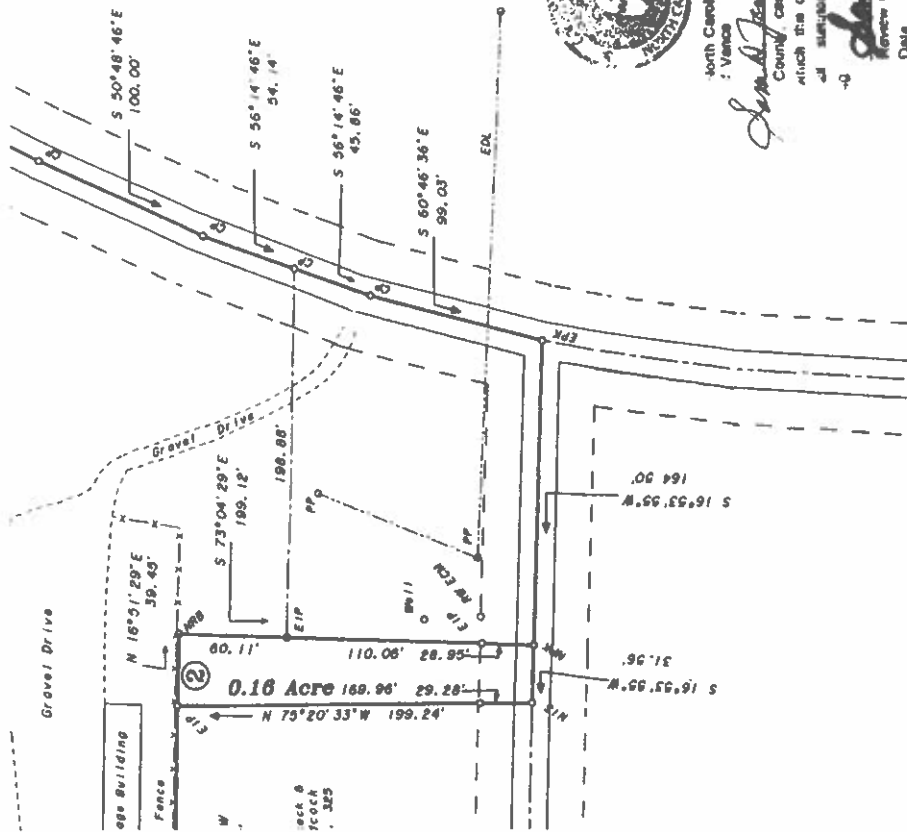
*Wallace G. Cochrane*  
Wallace G. Cochrane, L.S.

I certify that this survey is located in such portion of a county that is unregulated as to an ordinance that regulates portions of land.

*Wallace G. Cochrane*  
Wallace G. Cochrane, L.S.



CAW  
Regis  
P. O  
Hei



North Carolina  
Surveyors' Board

*James H. Johnson III*  
Review Officer  
I certify that the plat  
which the certification is a part  
of satisfies the requirements of  
the statute.

*James H. Johnson III*  
Review Officer  
Date 6-3-1998

3329

SURVEY FOR

**James H. Johnson III &  
Betty J. Johnson**

WATKINS TOWNSHIP  
VANCE COUNTY, NORTH CAROLINA  
SCALE 1" = 60' MARCH 30, 1998

File # 91-98-064-L  
Tax Map 425-1-6

**AWTHORNE & ASSOCIATES**  
Registered Land Surveyors, P.A.

P. O. Box 1558 822 Dabney Drive  
Henderson, North Carolina 27536  
919-492-0041

MS



# Permit Receipt

Receipt No.: 24-00184

received from .....

Owner  
Owner  
305 W Young St  
Suite B  
Henderson, NC 27536-0000

Receipt No.: 24-00184  
Receipt Date: 02/15/2024  
Receipt Time: 1:44 PM  
Payment Method: Check  
Payment Note: 1109  
Project ID #: REZON-24-0239  
Project Type: Plan - Rezoning  
Address: 5891 Hwy 158 Business

## Transactions

Fee type	Amount
Rezoning Petition	\$ 250.00

Amount Paid \$ 250.00

received by .....

Heather Lovings  
305 Young St. Suite B  
Henderson, NC 27536  
(252) 738-2085 Phone

## Account Summary

**10342-434203** \$ 250.00



BOOK 648 241

VANCE COUNTY, N.C.  
FILED RECORD

APR 24 1 21 PM '89

SARAH H. HALE  
REGISTER OF DEEDS

Excise Tax

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
by \_\_\_\_\_

Mail after recording to \_\_\_\_\_

This instrument was prepared by PAUL R. ROSS - HIGHT & FAULKNER

Brief description for the Index



### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 24th day of April, 19 89, by and between

GRANTOR

GRANTEE

C. T. ROBERSON, JR.  
and wife,  
KIMBERLY J. ROBERSON

JAMES H. JOHNSON, III  
and wife,  
BETTY J. JOHNSON

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Watkins Township,

Vance County, North Carolina and more particularly described as follows:  
BEGIN at a p.k. nail in the centerline of U.S. 158 Business at the intersection of the centerline of S.R. 1125; run thence along the centerline of S.R. 1125 South 16° 57' West 164.38 feet to an iron pin; run thence North 73° 30' West 200 feet along the line of James W. Adcock to an iron pin; run thence along Adcock line South 16° 57' West 150 feet to an iron pin, back corner of lot of Robert L. Newton; continuing thence South 15° 49' 51" West 199.97 feet along Newton line to an iron pin, Arthur King property; run thence along King line South 14° 26' West 102.83 feet to an iron pin; run thence North 76° 26' West 216.15 feet to an existing iron pipe; run thence North 14° 19' East 828.37 feet to a p.k. nail in the centerline of U.S. 158 Business; run thence along the centerline of U.S. 158 Business South 48° 41' East 169.30 feet to a p.k. nail; South 50° 48' East 100 feet to a p.k. nail; thence South 56° 14' East 100 feet to a p.k. nail; thence South 60° 54' East 100 feet to a p.k. nail in the centerline of U.S. 158 Business at the intersection with S.R. 1125.

This conveyance is made subject to the existing right of way of S.R. 1125 and U.S. 158 Business and being a part of the property shown on that certain plat surveyed for Ruby Wade by Harold B. Mullen, dated 8-20-76. This conveyance is also made subject to that certain deed of trust recorded in Book 634, Page 599, Vance County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 624 at Page 712, Vance County Registry.

A map showing the above described property is recorded in Plat Book page

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)
By:
President
ATTEST:
Secretary (Corporate Seal)

USE BLACK INK ONLY

C. T. Roberson, Jr. (SEAL)
C. T. Roberson, Jr.
Kimberly J. Roberson (SEAL)
Kimberly J. Roberson
(SEAL)
(SEAL)



SEAL-STAMP

NORTH CAROLINA, Vance County.
I, a Notary Public of the County and State aforesaid, certify that C. T. Roberson, Jr., and wife, Kimberly J. Roberson Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 14th day of April 1899. My commission expires: 10-16-89 Anna H. Walker Notary Public

NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that he is Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 18. My commission expires: Notary Public

The foregoing Certificate of Anna H. Walker, Notary Public of Vance County, N.C.,

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

SARAH H. HALE REGISTER OF DEEDS FOR Vance COUNTY
By: Cynthia S. DeLoach Property Assistant - Register of Deeds